

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 110

May 12, 1999, 4:34 p.m.
Page S-5144 Temp. Record

JUVENILE JUSTICE/Media Content Ratings and Labels

SUBJECT: Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999 . . . S. 254. Brownback amendment No. 329.

ACTION: AMENDMENT AGREED TO, 98-0

SYNOPSIS: As introduced, S. 254, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999, will modernize Federal grant programs that give aid to State and local governments for juvenile law enforcement and juvenile crime prevention efforts. Approximately \$1 billion per year for the next 5 years will be authorized for those grant programs. Also, \$100 million annually will be authorized for joint Federal-State-local efforts to address gang-related juvenile crime.

The Brownback amendment would waive antitrust laws on the entertainment industry that would apply to any joint discussion, consideration, review, action, or agreement for the purpose of developing and disseminating voluntary guidelines designed: to alleviate the negative impact of telecast movies, video games, Internet content, and music lyrics containing violence, sexual content, criminal behavior, or other subjects that were inappropriate for children; or to promote telecast material that was educational, informational, or otherwise beneficial to the development of children. The amendment would also waive antitrust laws for the purpose of developing and enforcing voluntary guidelines, procedures, and mechanisms designed to ensure compliance with rating and labeling systems that identified and limited dissemination of sexual, violent, or other indecent material to children. Finally, the amendment would authorize a National Academy of Sciences study on the effect of violent video games and music on child development and youth violence and a joint Federal Trade Commission-Justice Department study on the marketing practices of the motion picture, recording, and video/personal computer game industries (the second study would examine such issues as to the extent to which those industries market violent, sexual, or other unsuitable material to minors, and the extent to which those industries restrict sales of inappropriate material to minors).

Those favoring the amendment contended:

There have always been alienated, disaffected, and, in some cases, mentally troubled children. We have always had the cruel

(See other side)

YEAS (98)				NAYS (0)		NOT VOTING (2)	
Republican (55 or 100%)		Democrats (43 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (0)	Democrats (2)
Abraham	Hutchinson	Akaka	Kennedy				Inouye- ^{2AY}
Allard	Hutchison	Baucus	Kerrey				Moynihan- ^{2AY}
Ashcroft	Inhofe	Bayh	Kerry				
Bennett	Jeffords	Biden	Kohl				
Bond	Kyl	Bingaman	Landrieu				
Brownback	Lott	Boxer	Lautenberg				
Bunning	Lugar	Breaux	Leahy				
Burns	Mack	Bryan	Levin				
Campbell	McCain	Byrd	Lieberman				
Chafee	McConnell	Cleland	Lincoln				
Cochran	Murkowski	Conrad	Mikulski				
Collins	Nickles	Daschle	Murray				
Coverdell	Roberts	Dodd	Reed				
Craig	Roth	Dorgan	Reid				
Crapo	Santorum	Durbin	Robb				
DeWine	Sessions	Edwards	Rockefeller				
Domenici	Shelby	Feingold	Sarbanes				
Enzi	Smith, Bob	Feinstein	Schumer				
Fitzgerald	Smith, Gordon	Graham	Torricelli				
Frist	Snowe	Harkin	Wellstone				
Gorton	Specter	Hollings	Wyden				
Gramm	Stevens	Johnson					
Grams	Thomas						
Grassley	Thompson						
Gregg	Thurmond						
Hagel	Voinovich						
Hatch	Warner						
Helms							

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Compiled and written by the staff of the Republican Policy Committee—Larry E. Craig, Chairman

taunting of adolescents, the cliques in schools, and, in many parts of the country, we have also always had guns within easy reach of children. And yet, never before in the history of our country have we seen the present level of violence among our children. Something entirely different, chillingly different, is happening, and we have to find out what it is and do something about it.

Clearly, some of it has to do with the fact that many of the traditional transmitters of values we have long relied on to shape the moral sense of our children--family, community, faith, and school--have been weakened in recent years, and more and more what is filling that value vacuum is the enormously alluring and powerful, influential entertainment media which too often has become a standard shredder instead of a standard setter. So, how do we in this society that so values freedom of expression urge and push the entertainment industry to self-control, to self-regulate, to acknowledge not that they are causing this problem but that they are contributing to a crisis that is killing too many of our children?

This amendment would take a first step. It would basically call for a cease-fire among cable stations, the networks, the movie studios, the record companies, the video game industry, and the web sites. Instead of continually pushing standards lower, competing for ratings and customers by appealing to base, violent, and prurient instincts, those industries would have a chance to work out uniform responses to the legitimate demands of millions of American parents for more family-oriented entertainment.

The amendment would provide, first, a limited antitrust exemption to the entertainment industry enabling the industry to develop and disseminate voluntary guidelines for television programming, movies, video games, Internet content and music. No standards would have to be developed; this option would be strictly voluntary. All the amendment would do is take away the threat of court action if they established codes of conduct.

Second, it would give an antitrust exemption so that the entertainment industry could have some control over the development and enforcement of any voluntary rating or labeling systems it might develop. Even when the industry is responsible, and labels movies, videos, games, or CDS as being inappropriate for children, some retailers ignore those systems and give children ready access to violent and obscene material. This second exemption would make it possible for the entertainment industry to keep its products out of the hands of such retailers.

The third part of the amendment would call for a National Academy of Sciences study on the effects of violent music and video games on children. Social scientists and medical researchers have already conducted numerous studies on the effects of movie and television violence on children, and those studies have consistently found a strong correlation between such violence and aggressive, dangerous behavior by children. Studies have not yet been done on violent music and video games, though; this amendment would fill that gap.

Just a cursory look at some of the most popular recording "artists" and video games for teens today should worry parents. Some of the examples of the types of filth that our children are being sold cannot be repeated on the Senate floor. Consider the singer Marilyn Manson, whom M-TV named the "Best New Artist of the Year" last year. Some of Manson's less vulgar lyrics include: "Who says date rape isn't kind"; "let's just kill everyone and let your god sort them out"; and "the housewife I will beat; the pro-life I will kill." The popular group Nine Inch Nails had recent commercial success with a song glorifying the rape and murder of a woman, and Eminem, the hip hop singer who is frequently on M-TV, has a song in which he describes killing his child's mother and dumping her body in the ocean. Many of the sadistic video games that are being marketed are no better. Carmageddon, a video game in which the point is to kill pedestrians, is advertised with the slogan, "As easy as killing babies with axes." What effects do such violent messages have on children? The average teen listens to music for more than 10,000 hours between the ages of 12 and 17, which is more hours than is spent in school. The two teens responsible for the massacre at Columbine high school reportedly played the ultra-violent video game Doom obsessively.

The final part of the amendment would require the Federal Trade Commission and the Department of Justice to conduct a joint study of the marketing practices of the motion picture industry, recording industry, and video game industry. They would examine the extent to which the entertainment industry targets the marketing of violent, sexually explicit or other material unsuitable to minors, including whether such content is advertised in media outlets in which minors comprise a substantial percentage of the audience. We want to know, are these entertainment companies actually marketing violence to minors? Are they lacing more violence in their products to get more sales to minors?

Having standards set would serve several purposes. First, they would empower parents to control the offensive material to which their children were exposed. Second, they would help hold the entertainment industries accountable. Parents would have a written code by which to judge television, movies, music, and games and would be able to demand that companies live up to their code. Third, they would serve as an acknowledgment by entertainment companies that they bore some corporate responsibility for the impact of the entertainment that they peddled. We strongly favor these results and, therefore, urge our colleagues to join us in voting in favor of this amendment.

While favoring the amendment, some Senators expressed the following reservations:

The second antitrust exemption may be too broad. The purpose of this amendment is admirable, but we do not want to go beyond that purpose by unintentionally permitting monopolistic behavior. We will examine this language more closely in conference.

No arguments were expressed in opposition to the amendment.